

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

DAC
cc

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590

11/17/2003

CUSTOMER NUMBER
22850

Note: A certificate of mailing can only be used for domestic mailings of the fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)

(Signatures)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,345	02/13/2002	Burkhard Freund	217052US0X	4596

TITLE OF INVENTION: CARBON BLACK, PROCESS FOR ITS PRODUCTION AND ITS USE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	02/17/2004
EXAMINER	ART UNIT	CLASS-SUBCLASS			
SANDERS, KRIELLION ANTIONETTE	1714	524-495000			

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
 Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 OBLON, SPIVAK,

2 McCLELLAND, MAIER

3 & NEUSTADT, P.C.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Degussa AG

Duesseldorf, GERMANY

Please check the appropriate assignee category or categories (will not be printed on the patent): individual corporation or other private group entity government

4a. The following fee(s) are enclosed:

Issue Fee

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.

Publication Fee

Payment by credit card. Form PTO-2038 is attached.

Advance Order - # of Copies -0-

The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 15-0030 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) Joseph A. Scalfetta Jr. (Date) Reg. No. 26,803 Jan. 16, 2004
 NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

01/21/2004 AWONDAF2 00000026 10073345

01 FC:1501
02 FC:1504

1330.00 OP
300.00 OP

TRANSMIT THIS FORM WITH FEE(S)

Dept.: Chemical
By: NFO/TMC/krs

OSMM&N File No. 217052US0X

Serial No. 10/073,345

In the matter of the Application of: Burkhard FREUND

For: CARBON BLACK, PROCESS FOR ITS PRODUCTION AND ITS USE

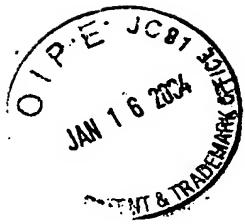
Due Date: n/a

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- PTO Cover Letter
- Petition Under 37 C.F.R. 1.181
- Copy of Date-stamped Filing Receipt, Information Disclosure Statement and PTO 1449 filed August 29, 2003



COPY



Docket No.: 217052US0X

OBLON
SPIVAK
McCLELLAND
MAIER
&
NEUSTADT
P.C.

ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/073,345

Applicants: Burkhard FREUND

Filing Date: February 13, 2002

Allowed Date: November 17, 2003

For: CARBON BLACK, PROCESS FOR ITS
PRODUCTION AND ITS USE

Group Art Unit: 1714

Examiner: K. Sanders

SIR:

Attached hereto for filing are the following papers:

**Petition Under 37 C.F.R. 1.181; Copy of Date-stamped Filing Receipt, Information Disclosure
Statement and PTO 1449 filed August 29, 2003**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon
Registration No. 24,618

Thomas M. Cunningham
Registration No. 45,394

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

COPY



DOCKET NO: 217052US0X

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

BURKHARD FREUND

: EXAMINER: K. SANDERS

SERIAL NO: 10/073,345

: ALLOWED DATE: NOVEMBER 17, 2003

FILED: FEBRUARY 13, 2002

: GROUP ART UNIT: 1714

FOR: CARBON BLACK, PROCESS FOR
ITS PRODUCTION AND ITS USE

:

PETITION UNDER 37 C.F.R. 1.181

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby petition the Commissioner pursuant to 37 C.F.R. 1.181 to invoke
supervisory authority to:

- (1) Timely match the Information Disclosure Statement filed on August 29, 2003 with this allowed application and make this application available to Examiner Sanders for consideration of the two documents cited thereon. This information disclosure statement was submitted prior to first action and allowance of this application. A copy of Form 1449 is attached to this Petition for the convenience of the Examiner.
- (2) Return a signed and initialed copy of Form 1449 to the Applicants.

COPY

The Applicants notified Examiner Sanders on December 18, 2003 that this Petition was being filed in order to make this allowed case available to him and to assure that the earlier filed information disclosure statement was matched with the file, so that a signed and initialed copy of Form 1449 could be returned to the Applicants.

Applicants do not believe that any petition fee is due. However, in the event any variance exists between the required petition fees and this amount, please charge or credit the difference to our Deposit Account No. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

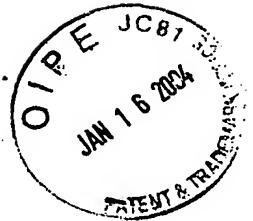
Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)

Norman F. Oblon
Attorney of Record
Registration No. 24,618

Thomas M. Cunningham
Registration No. 45,394

COPY



COPY

[Handwritten signature]
Dept.: PP
By: NFO/hc

OSMM&N File No. 217052US0X

Serial No. 10/073,345

In the matter of the Application of: Burkhard FREUND

For: CARBON BLACK, PROCESS FOR ITS PRODUCTION AND ITS USE

Due Date: 09-04-03

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- Information Disclosure Statement
- PTO-1449
- Cited References (2)
- EUROPEAN Search Report (with English Translation of Category of Cited Documents)



COPY

Docket No. 217052US0X/hc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Burkhard FREUND

SERIAL NO: 10/073,345

FILED: February 13, 2002

FOR: CARBON BLACK, PROCESS FOR ITS PRODUCTION AND ITS USE

GAU: 1714

EXAMINER:



INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- The applicant(s) wish to make of record the references cited in the attached European Search Report listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment form is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



22850

Norman F. Oblon
Registration No. 24,618

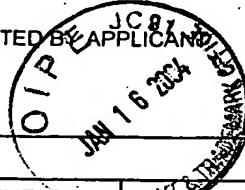
Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

COPY

SHEET 1 OF 1

Form PTO 1448
(Modified)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY DOCKET NO.
217052US0XSERIAL NO.
10/073,345

LIST OF REFERENCES CITED BY APPLICANT



U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
AA						
AB						
AC						
AD						
AE						
AF						
AG						
AH						
AI						
AJ						
AK						
AL						
AM						
AN						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES	NO
AO	WO 94/05732	03/17/94	WIPO			
AP	198 39 925	10/14/99	GERMANY			X
AQ						
AR						
AS						
AT						
AU						
AV						

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

AW		
AX		
AY		
AZ		
		<input type="checkbox"/> Additional References sheet(s) attached
Examiner		Date Considered

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.